

HOUSE BILL 626

Unofficial Copy
R2

2004 Regular Session
(41r2078)

ENROLLED BILL
-- Environmental Matters/Finance --

Introduced by Delegates McIntosh and ~~Bobo~~, Bobo, Malone, Arnick, Barve, Bronrott, Cane, V. Clagett, Cluster, Frush, Glassman, Hogan, Holmes, Jennings, McConkey, Montgomery, Owings, Parker, Sossi, Stern, Stull, and Weir

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Transportation - Maryland Senior Rides Demonstration Program**

3 FOR the purpose of establishing the Maryland Senior Rides Demonstration Program
4 within the Maryland Transit Administration; establishing the purpose of and
5 certain criteria for the participation in and the awarding of grants under the
6 Program; authorizing a Program participant to provide door-to-door
7 transportation to an eligible senior who does not reside in a certain geographic
8 area under certain circumstances; requiring a Program participant to expend a
9 certain matching fund; establishing certain limitations on the number and
10 amount of grants that may be awarded under the Program; authorizing a
11 Program participant to charge a certain fee; requiring the Administration to
12 consult with certain ~~parties~~ persons regarding the awarding of grants and the
13 adoption of regulations under this Act; ~~authorizing grant participants to provide~~
14 establishing that this Act does not prohibit a Program participant from

1 providing certain services; requiring the Administration to adopt certain
 2 regulations; requiring Program participants to submit certain reports to the
 3 Administration; defining certain terms; requiring the Administration to submit
 4 certain evaluations to the General Assembly; providing for a delayed effective
 5 date; and generally relating to the Maryland Senior Rides Demonstration
 6 Program.

7 BY adding to
 8 Article - Transportation
 9 Section 7-1001 through 7-1005, inclusive, to be under the new subtitle "Subtitle
 10 10. Maryland Senior Rides Demonstration Program"
 11 Annotated Code of Maryland
 12 (2001 Replacement Volume and 2003 Supplement)

13 Preamble

14 WHEREAS, Senior citizens in Maryland face unique challenges in accessing
 15 safe, available, and affordable transportation for a variety of medical, routine, social,
 16 and personal needs; and

17 WHEREAS, The federal, State, and local resources available to subsidize
 18 transportation for seniors, and the existing transportation services offered by State,
 19 local, and private providers, do not adequately meet the needs of seniors for
 20 door-to-door, nonfixed-route, and on-demand transportation options; and

21 WHEREAS, The transportation challenges faced by seniors vary significantly
 22 across the State depending on whether they live in urban, suburban, or rural settings;
 23 and

24 WHEREAS, Senior citizens make up more than 15% of Maryland's population
 25 and, by 2020, that percentage is expected to grow to 23%; now, therefore,

26 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 27 MARYLAND, That the Laws of Maryland read as follows:

28 **Article - Transportation**

29 **SUBTITLE 10. MARYLAND SENIOR RIDES DEMONSTRATION PROGRAM.**

30 7-1001.

31 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
 32 INDICATED.

33 (B) "DOOR-TO-DOOR TRANSPORTATION" MEANS PROVIDING, THROUGH
 34 PREARRANGED APPOINTMENT, SAFE ESCORT FROM A DEPARTURE POINT, INTO AND
 35 OUT OF A TRANSPORT VEHICLE AND TO THE DOOR OF THE DESTINATION.

1 (C) "LOW-INCOME TO MODERATE-INCOME" MEANS THE HOUSEHOLD INCOME
2 OF AN INDIVIDUAL DOES NOT EXCEED 400% OF THE POVERTY THRESHOLD THAT IS
3 ESTABLISHED BY THE UNITED STATES DEPARTMENT OF COMMERCE, BUREAU OF
4 STATISTICS FOR A GIVEN YEAR.

5 (D) "PROGRAM" MEANS THE MARYLAND SENIOR RIDES DEMONSTRATION
6 PROGRAM ESTABLISHED UNDER THIS SUBTITLE.

7 (E) "PROGRAM APPLICANT" MEANS A GOVERNMENT AGENCY, NONPROFIT
8 ENTITY, OR FAITH-BASED AGENCY THAT PROVIDES TRANSPORTATION SERVICES
9 AND IS EXEMPT FROM TAXATION UNDER § 501 (C)(3) OF THE INTERNAL REVENUE
10 CODE.

11 (F) "PROGRAM PARTICIPANT" MEANS A PROGRAM APPLICANT THAT HAS BEEN
12 APPROVED FOR PARTICIPATION IN THE PROGRAM.

13 (G) "SENIOR" MEANS AN INDIVIDUAL AGE 60 OR OLDER.

14 7-1002.

15 (A) THERE IS A MARYLAND SENIOR RIDES DEMONSTRATION PROGRAM IN THE
16 ADMINISTRATION.

17 (B) THE PURPOSE OF THE PROGRAM IS TO ENCOURAGE REGIONAL
18 PROVIDERS TO PROVIDE DOOR-TO-DOOR TRANSPORTATION FOR LOW-INCOME TO
19 MODERATE-INCOME SENIORS.

20 (C) THE ADMINISTRATION SHALL AWARD ~~A GRANT~~ GRANTS TO QUALIFIED
21 PROGRAM APPLICANTS, AS PROVIDED IN § 7-1003 OF THIS SUBTITLE, FOR THE
22 OPERATION OF TRANSPORTATION SERVICES AS SPECIFIED IN THIS SECTION.

23 (D) TO BE ELIGIBLE FOR A GRANT UNDER § 7-1003 OF THIS SUBTITLE, A
24 PROGRAM APPLICANT SHALL:

25 (1) PROVIDE DOOR-TO-DOOR TRANSPORTATION FOR LOW-INCOME TO
26 MODERATE-INCOME SENIORS WHO HAVE DIFFICULTY ACCESSING OR USING OTHER
27 EXISTING TRANSPORTATION SYSTEMS;

28 (2) USE PRIMARILY VOLUNTEER DRIVERS WHO DRIVE THEIR OWN
29 VEHICLES;

30 (3) USE A DISPATCHER SYSTEM TO RESPOND QUICKLY TO REQUESTS
31 FROM LOW-INCOME TO MODERATE-INCOME SENIORS FOR DOOR-TO-DOOR
32 TRANSPORTATION ~~TO AND FROM APPOINTMENTS~~; AND

33 (4) DEFINE A GEOGRAPHIC AREA FOR WHICH DOOR-TO-DOOR
34 TRANSPORTATION IS PROVIDED.

35 (E) A PROGRAM PARTICIPANT MAY PROVIDE DOOR-TO-DOOR
36 TRANSPORTATION TO AN ELIGIBLE SENIOR WHO DOES NOT RESIDE IN THE

1 GEOGRAPHIC AREA DEFINED BY THE PROGRAM PARTICIPANT UNDER SUBSECTION
 2 (D)(4) OF THIS SECTION WHEN APPLYING TO PARTICIPATE IN THE PROGRAM, SO
 3 LONG AS SERVICE IS NOT DIMINISHED TO AN ELIGIBLE SENIOR WHO DOES RESIDE IN
 4 THE DEFINED GEOGRAPHIC AREA.

5 (F) A PROGRAM PARTICIPANT SHALL EXPEND A MATCHING FUND OF AT
 6 LEAST 25% OF THE TOTAL CAPITAL OR OPERATING COSTS ASSOCIATED WITH
 7 PROVIDING DOOR-TO-DOOR TRANSPORTATION ~~SERVICES~~ FOR LOW-INCOME TO
 8 MODERATE-INCOME SENIORS.

9 (G) (1) A PROGRAM PARTICIPANT MAY NOT RECEIVE MORE THAN ONE
 10 GRANT ANNUALLY AND MAY NOT RECEIVE A TOTAL OF MORE THAN FOUR GRANTS.

11 (2) THE ADMINISTRATION MAY NOT AWARD MORE THAN \$400,000 IN
 12 GRANTS PER YEAR.

13 (H) A PROGRAM PARTICIPANT MAY CHARGE REASONABLE FEES FOR
 14 DOOR-TO-DOOR TRANSPORTATION PROVIDED BY THE PROGRAM PARTICIPANT.

15 ~~(H)~~ (I) NOTHING IN THIS SECTION PROHIBITS A PROGRAM PARTICIPANT
 16 FROM PROVIDING SERVICES IN ADDITION TO THOSE DESCRIBED IN SUBSECTION (D)
 17 OF THIS SECTION.

18 7-1003.

19 THE ~~PROGRAM~~ ADMINISTRATION SHALL:

20 (1) SOLICIT GRANT APPLICATIONS FROM PROSPECTIVE PROGRAM
 21 APPLICANTS;

22 (2) SUBJECT TO THE LIMITATIONS IN § 7-1002(G) OF THIS SUBTITLE,
 23 AWARD GRANTS OF UP TO \$100,000 EACH TO ~~FOUR QUALIFIED PROGRAM APPLICANTS~~
 24 ~~OR, IF FEWER THAN FOUR QUALIFIED PROGRAM APPLICANTS ARE IDENTIFIED BY~~
 25 ~~THE ADMINISTRATION, TO EACH QUALIFIED PROGRAM APPLICANT~~ APPLICANTS;

26 (3) ENSURE THAT THE GRANTS AWARDED UNDER ITEM (2) OF THIS
 27 SECTION ARE DISTRIBUTED AMONG PROGRAM APPLICANTS ~~PROVIDING~~
 28 ~~TRANSPORTATION SERVICES TO PROVIDE DOOR-TO-DOOR TRANSPORTATION~~ IN
 29 THE FOLLOWING AREAS WITH NO AREA RECEIVING GRANTS TOTALING MORE THAN
 30 ~~ONE GRANT~~ \$100,000 PER YEAR:

31 (I) THE BALTIMORE METROPOLITAN AREA;

32 (II) THE WASHINGTON D.C. METROPOLITAN AREA;

33 (III) WESTERN MARYLAND;

34 (IV) SOUTHERN MARYLAND; AND

35 (V) THE EASTERN SHORE; AND

1 (4) ENSURE, TO THE EXTENT PRACTICABLE, THAT AT LEAST ONE GRANT
 2 IS AWARDED TO PROGRAM APPLICANTS ~~PROVIDING TRANSPORTATION SERVICES TO~~
 3 PROVIDE DOOR-TO-DOOR TRANSPORTATION IN EACH OF THE FOLLOWING AREAS:

- 4 (I) A RURAL AREA;
- 5 (II) AN URBAN AREA; AND
- 6 (III) A SUBURBAN AREA.

7 7-1004.

8 (A) THE ADMINISTRATION SHALL CONSULT WITH THE DEPARTMENT OF
 9 AGING WHEN CONSIDERING THE ELIGIBILITY OF A PROGRAM APPLICANT FOR A
 10 GRANT UNDER § 7-1003 OF THIS SUBTITLE.

11 (B) WHEN AWARDING A GRANT UNDER § 7-1003 OF THIS SUBTITLE, THE
 12 ADMINISTRATION SHALL CONSIDER:

13 (1) THE ABILITY OF THE PROGRAM APPLICANT TO PROVIDE
 14 DOOR-TO-DOOR TRANSPORTATION ~~SERVICES~~ TO LOW-INCOME TO
 15 MODERATE-INCOME SENIORS;

16 (2) THE PROJECTED VOLUME OF RIDERSHIP;

17 (3) THE PROGRAM APPLICANT'S MARKETING AND OUTREACH PLAN TO
 18 ATTRACT RIDERS AND DRIVERS;

19 (4) THE ABILITY OF THE PROGRAM APPLICANT TO SUSTAIN
 20 DOOR-TO-DOOR TRANSPORTATION FOR LOW-INCOME TO MODERATE-INCOME
 21 SENIORS BEYOND THE TIME WHEN GRANTS MAY BE AVAILABLE; ~~AND~~

22 ~~(5)~~ THE ABILITY OF THE PROGRAM APPLICANT TO COORDINATE ITS
 23 DISPATCHER SYSTEM WITH A LOCAL CENTRAL DISPATCHER SYSTEM; AND

24 ~~(5)~~ (6) THE EXTENT TO WHICH THE PROGRAM APPLICANT ENCOURAGES:

25 (I) SHARED RIDERSHIP;

26 (II) COORDINATION BETWEEN PUBLIC AND PRIVATE SECTOR
 27 TRANSPORTATION PROVIDERS; AND

28 (III) INNOVATIONS IN RISK MANAGEMENT FOR DRIVERS AND
 29 RIDERS.

30 (C) IN CONSULTATION WITH THE DEPARTMENT OF AGING, THE MARYLAND
 31 INSURANCE ADMINISTRATION, AND SENIOR CITIZEN ADVOCACY GROUPS, THE
 32 ADMINISTRATION SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SUBTITLE,
 33 INCLUDING REGULATIONS GOVERNING:

- 1 (1) CRIMINAL BACKGROUND AND DRIVING RECORD CHECKS OF
 2 DRIVERS;
- 3 (2) DRIVER AND VEHICLE SAFETY;
- 4 (3) DRIVER TRAINING; AND
- 5 (4) THE LIABILITY COVERAGE OF A PROGRAM APPLICANT THAT
 6 PROVIDES ~~TRANSPORTATION SERVICES~~ DOOR-TO-DOOR TRANSPORTATION UNDER
 7 THE PROGRAM.

8 7-1005.

9 A PROGRAM PARTICIPANT THAT RECEIVES A GRANT UNDER § 7-1003 OF THIS
 10 SUBTITLE SHALL SUBMIT TO THE ADMINISTRATION A WRITTEN REPORT ANNUALLY,
 11 WHICH SHALL INCLUDE:

- 12 (1) THE NUMBER OF RIDERS AND DRIVERS PARTICIPATING IN THE
 13 PROGRAM;
- 14 (2) THE AMOUNT AND SOURCE OF MATCHING FUNDS USED FOR GRANTS
 15 AWARDED UNDER § 7-1003 OF THIS SUBTITLE;
- 16 (3) THE NATURE OF COOPERATIVE EFFORTS BETWEEN THE PROGRAM
 17 PARTICIPANT AND OTHER GOVERNMENT AND PRIVATE-SECTOR ENTITIES;
- 18 (4) INNOVATIONS IN RISK MANAGEMENT FOR DRIVERS AND RIDERS;
 19 ~~AND~~
- 20 (5) IF THE PROGRAM PARTICIPANT CHARGES FEES FOR DOOR-TO-DOOR
 21 TRANSPORTATION:
- 22 (I) THE FEE SCHEDULE USED BY THE PROGRAM PARTICIPANT;
- 23 (II) THE METHODOLOGY USED IN ESTABLISHING THE FEE
 24 SCHEDULE; AND
- 25 (III) THE TOTAL AMOUNT OF FEES COLLECTED BY THE PROGRAM
 26 PARTICIPANT;
- 27 (6) THE AMOUNT AND SOURCE OF ANY REVENUE, OTHER THAN FEES
 28 REPORTED UNDER ITEM (5) OF THIS SECTION, GENERATED BY THE PROGRAM
 29 PARTICIPANT IN CONNECTION WITH THE PROGRAM; AND

30 ~~(5)~~ (7) ANY OTHER INFORMATION REQUIRED BY THE ADMINISTRATION TO
 31 EVALUATE AND OPERATE THE PROGRAM AND MONITOR THE USE OF GRANT FUNDS
 32 AWARDED TO THE PROGRAM PARTICIPANT.

33 SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Transit
 34 Administration, on or before November 1 of each year, shall submit to the General
 35 Assembly, subject to § 2-1246 of the State Government Article, an evaluation of the

1 Maryland Senior Rides Demonstration Program. The evaluation shall include the
2 number, size, type, and location of projects funded by the Program; the extent to
3 which the Program is filling the need for door-to-door transportation for low-income
4 to moderate-income seniors as those terms are defined in § 7-1001 of the
5 Transportation Article as enacted by this Act; any innovations in public-private
6 cooperation and risk management that result from the Program; and any other
7 information necessary to effectively evaluate the Program.

8 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 July 1, ~~2004~~ 2005.